

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA

UNITED STATES OF AMERICA

Case No. 1:16-cr-17-SEB-DML-01

v.

STEVEN TABER

ORDER ON MOTION FOR
SENTENCE REDUCTION UNDER
18 U.S.C. § 3582(c)(1)(A)
(COMPASSIONATE RELEASE)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons for a reduction in sentence under 18 U.S.C. § 3582(c)(1)(A), and after considering the applicable factors provided in 18 U.S.C. § 3553(a) and the applicable policy statements issued by the Sentencing Commission, IT IS ORDERED that the motion is:

☐ DENIED.

☒ DENIED WITHOUT PREJUDICE.

☒ FACTORS CONSIDERED: See attached opinion.

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 1:16-cr-00017-SEB-DML
)	
STEVEN TABER, ¹)	-01
)	
Defendant.)	

Order Denying Motion for Compassionate Release Without Prejudice

Defendant filed a pro se motion that the Court construed as a Motion for Compassionate Release under the First Step Act of 2018. Dkt. 53. The Court appointed counsel to represent Defendant and stayed the case. Dkts. 54, 56. CJA counsel appeared on Defendant's behalf, dkt. 55, but then withdrew, dkts. 57, 58.

After counsel withdrew, the Court concluded that Defendant's pro se Motion for Compassionate Release lacked sufficient information for the Court to conclude that she was entitled to compassionate release. Accordingly, on March 3, 2021, the Court ordered Defendant to supplement her motion by completing and returning the Court's form compassionate release motion by April 19, 2021. Dkt. 59. The Court warned Defendant that her Motion for Compassionate Release would be considered abandoned and denied without prejudice if she did

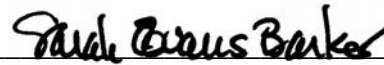
¹ The Court understands and respects that Ms. Taber uses the name Stephanie and will refer to her as Stephanie or Ms. Taber in the text of all entries and orders. The Court will also use female pronouns for Ms. Taber. The Court uses the name "Steven" in the caption, however, because that is how Ms. Taber appears in the Court's records and the Court needs to ensure consistency in this closed criminal case. Likewise, the Court uses "Steven" in the distribution list because the BOP lists Ms. Taber as "Steven," and the Court wants to make sure that Ms. Taber receives her mail.

not return the form motion as directed. *Id.* The Court mailed its Order and the form motion to Defendant on March 8, 2021.

As of the writing of this Order, Defendant has not completed and returned the Court's form motion as required, and the deadline for doing so has passed. Accordingly, the Court considers Defendant's Motion for Compassionate Release abandoned, and the motion, dkt. [53], is **denied without prejudice**. Nothing in this Order, however, prohibits Defendant from filing a new motion for compassionate release.

IT IS SO ORDERED.

Date: 5/11/2021



SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

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